

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

MARK WILLIAM LATIMER,

CIVIL NO. 16-3601 (MJD/DTS)

Plaintiff,

v.

ORDER

WARDEN MICHELLE L. SMITH,  
*Official Capacity;*  
LT. JOHN MAGADANZ;  
BRIAN GETTE;  
DEREK MAGLE;  
KELLY CLASSEN;  
KATHY REID;  
DEAN SLATKO;  
DOCTOR STEPHEN CRAANE; and  
NURSE DANIELLE KENYON,  
*Individual capacities,*

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge David T. Schultz dated July 20, 2018. No objections have been filed to that Report and Recommendation in the time-period permitted.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court will ADOPT the Report and Recommendation in its entirety.

IT IS HEREBY ORDERED:

1. The Motion for Summary Judgment of Plaintiff Mark William Latimer [Docket No. 71] is DENIED.
2. Plaintiff's Motion for a Default Judgment [Docket No. 98] is DENIED.
3. The Motion for Summary Judgment of Defendant Stephen Craane [Docket No. 102] is GRANTED.
4. The Motion for Summary Judgment of Defendants Michelle L. Smith, John Magadanz, Brian Gette, Derek Magle, Kathy Reid, Kelly Classen, Dean Slatko, and Danielle Kenyon [Docket No. 110] is GRANTED.

5. Plaintiff's Motion in Opposition [Docket No. 143] is DISMISSED, as it is clear the document is an opposition brief and was misfiled as a motion.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 20, 2018

s/Michael J. Davis  
MICHAEL J. DAVIS  
United States District Court